

Message Text

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47

ACTION ARA-10

INFO OCT-01 ISO-00 ARAE-00 CIAE-00 DODE-00 INR-05 NSAE-00

PA-01 RSC-01 USIA-06 PRS-01 SP-02 L-02 EB-04 FEAE-00

OES-03 TRSE-00 AID-05 COME-00 /041 W

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P R 151740Z NOV 74

FM AMEMBASSY LIMA

TO SECSTATE WASHDC PRIORITY 2750

INFO AMCONSULATE GUAYAQUIL

AMEMBASSY QUITO

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EO 11652: N/A

TAGS: PINR, PINT, EGEN, PE

SUBJECT: PIPELINE CONTROVERSY: PERUVIAN TIMES CLOSED; LAWYERS
TO BE TRIED

REF: LIMA 9647 (NOTAL)

1. NOV 15 EL COMERCIAO REPORTS CLOSURE OF ENGLISH LANGUAGE WEEKLY PERUVIAN TIMES. COMERCIO, CITING PT'S EDITOR NICHOLAS ASHESHOV, STATES THAT MAGAZINE WAS CLOSED PROBABLY FOR AN ARTICLE ON THE PERU-JAPAN PIPELINE AGREEMENT.

2. PT SEPT 6 ARTICLE REVEALING FOREIGN ARBITRATION PROVISIONS OF JAPANESE-PERUVIAN SOVEREIGNTY (REFTEL AND PREVIOUS). PT WAS A HIGHLY RESPECTED MAGAZINE SPECIALIZING IN ECONOMIC NEWS AND REACHING BUSINESS, ACADEMIC, DIPLOMATIC AUDIENCE. PT STAFFERS HAVE IN THE PAST TOLD EMBOFFS THAT THEY HAVE CONTINGENCY PLANS TO PUBLISH IN ECUADOR SHOULD THEY BE COLOSED IN PERU GIVEN INCREASINGLY RESTRICTIVE PRESS CLIMATE.

3. NOV 15 CRONICA HEADLINES THAT LIMA BAR ASOCIATION WILL BE BROUGHT TO TRIAL FOR "LYING" ABOUT PIPELINE AGREEMENT. CHARGES ARE TO BE BROUGHT AGAINST BAR ASSOCIATION BOARD OF DIRECTORS AND
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FOREIGN INVESTMENT COMMITTEE UNDER PRESS STATUTE FOR LIBELING

GOVERNMENT DIGNITARIES, LYING AND THREATENING THE SECURITY OF THE STATE. IN CONNECTION WITH THIS CASE, SIX LAWYERS HAVE REPORTEDLY BEEN DETAINED SO FAR.

4. COMMENT. AS NOTED IN PREVIOUS EMBTELS, PIPELINE ISSUE IS HIGHLY CHARGED. GOP IS DEFENDING ITSELF AGAINST OPPOSITION CHARGES THAT PIPELINE AGREEMENT REPRESENTS UNCONSTITUTIONAL ABROGATION OF SOVEREIGNTY BECAUSE PERUVIAN STATE SUBJECTS ITSELF TO FOREIGN COURTS. THIS CONTROVERSY IS EXPECTED TO SWIRL FOR SOME TIME AND IS GREATLY IRRITATING PERU'S SUPER-NATIONALISTIC MILITARY RULERS.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRESS COMMENTS, AGREEMENTS, ARRESTS, POLITICAL SITUATION, TRIALS, MAGAZINES, PIPELINES
Control Number: n/a
Copy: SINGLE
Draft Date: 15 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: cunninfx
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974LIMA09679
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740330-0839
From: LIMA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741140/aaaabhux.tel
Line Count: 73
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: LIMA 9647 (NOTAL)
Review Action: RELEASED, APPROVED
Review Authority: cunninfx
Review Comment: n/a
Review Content Flags:
Review Date: 16 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 SEP 2002 by cunninfx>; APPROVED <11 MAR 2003 by cunninfx>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PIPELINE CONTROVERSY: PERUVIAN TIMES CLOSED; LAWYERS TO BE TRIED
TAGS: PINR, PINT, EGEN, PE, JA, LIMA BAR ASSOCIATION, PERUVIAN TIMES
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005